



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

AVERY T. DAY  
ACTING COMMISSIONER

October 8, 2015

Mr. David Jones  
103 Adams Ave.  
Lewiston, Maine 04240  
[djones@ci.lewiston.me.us](mailto:djones@ci.lewiston.me.us)

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0100994  
Maine Waste Discharge License (WDL) Application # W000684-5T-F-R  
**Proposed Draft Permit**

Dear Mr. Jones:

Enclosed is a **proposed draft** MEPDES permit and Maine WDL (permit hereinafter) which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter you are provided with an opportunity to comment on the proposed draft permit and its conditions (special conditions specific to this permit are enclosed; standard conditions applicable to all permits are available upon request). If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Monday November 9, 2015**. Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection  
Bureau of Water Quality  
Division of Water Quality Management  
17 State House Station  
Augusta, ME 04333

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

If you have any questions regarding the matter, please feel free to call me at 446-1875.

Sincerely,



Rodney Robert  
Bureau of Water Quality  
Division of Water Quality Management

Enc.

cc: David Breau, DEP/CMRO  
Stuart Rose, DEP/SMRO  
Lori Mitchell, DEP/CMRO  
Oliver Cox, DMR  
Environmental Review, DMR  
Environmental Review, DIFW  
Kathleen Leyden, DACF  
David Webster, USEPA  
David Pincumbe, USEPA  
Alex Rosenburg, USEPA  
Olga Vergara, USEPA  
Marelynn Vega, USEPA  
Richard Carvalho, USEPA  
Ivy Frignoca, CLF



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
17 STATE HOUSE STATION  
AUGUSTA, ME 04333

**DEPARTMENT ORDER**

**IN THE MATTER OF**

CITY OF LEWISTON	)	MAINE POLLUTANT DISCHARGE
LEWISTON, ANDROSCOGGIN COUNTY, ME.	)	ELIMINATION SYSTEM PERMIT
COMBINED SEWER OVERFLOWS	)	AND
W000684-5T-F-R	)	WASTE DISCHARGE LICENSE
ME0100994	)	<b>RENEWAL</b>
<b>APPROVAL</b>	)	

In compliance with the provisions of the Federal Water Pollution Control Act, Title 33 U.S.C. § 1251, Conditions of licenses, 38 M.R.S.A. § 414-A, and applicable regulations, the Department of Environmental Protection (Department) has considered the application of the City of Lewiston (City) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**APPLICATION SUMMARY**

The City has submitted a timely and complete application to the Department for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100994/Maine Waste Discharge License (WDL) #W000684-5T-E-R, (permit hereinafter) issued by the Department on November 19, 2010 for a five-year term. The 11/19/10 permit authorized the City to discharge of an unspecified quantity of untreated sanitary waste water combined with storm water runoff from twenty (20) combined sewer overflow structures. Nine (9) of the CSOs discharged to the Androscoggin River, Class C, ten (10) of the CSOs discharged to Jepson Brook, Class B and one (1) discharged to Goff Brook, Class B. All twenty (20) discharge locations were in Lewiston, Maine.

Since issuance of the 11/19/10 permit, the City has eliminated nine (9) CSO outfalls. As a result, the City is now seeking authorization to discharge an unspecified quantity of untreated sanitary waste water combined with storm water runoff from eleven (11) combined sewer overflow structures. Six (6) of the CSOs discharge to the Androscoggin River, Class C, four (4) of the CSOs discharge to Jepson Brook, Class B and one (1) discharges to Goff Brook, Class B.

**PERMIT SUMMARY**

This permitting action requires the permittee to monitor the flow and number of overflow events at the combined sewer overflow (CSO) structure, periodically update the City's CSO Master Plan and annually report progress to eliminate the CSO.

## CONCLUSIONS

BASED on the findings in the attached and incorporated Draft Fact Sheet dated October 8, 2015, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.
2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with State law.
3. The provisions of the State's antidegradation policy, 38 M.R.S.A. §464(4)(F), will be met, in that:
  - (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;
  - (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;
  - (c) Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;
  - (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification that higher water quality will be maintained and protected; and
  - (e) Where a discharge will result in lowering the existing water quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.
4. The discharges will be subject to effluent limitations that require application of best practicable treatment as defined in Maine law, 38 M.R.S.A., §414-A(1)(D) and 414-A(1-B).

**ACTION**

THEREFORE, the Department APPROVES the above noted application of the CITY OF LEWISTON to discharge an unspecified quantity of untreated sanitary waste waters combined with storm water runoff from eleven (11) CSOs to the Androscoggin River, Class C and two minor tributaries of the Androscoggin River; Jepson Brook and Goff Brook, Class B, in Lewiston, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. *“Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable to All Permits,”* revised July 1, 2002, copy attached.
2. The attached Special Conditions, including any effluent limitations and monitoring requirements.
3. This permit becomes effective upon the date of signature below and expires at midnight five (5) years after that date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the terms and conditions of this permit and all subsequent modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. *Maine Administrative Procedure and Services*, 5 M.R.S.A. § 10002 and Rules Concerning the *Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended August 25, 2013).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
For Avery T. Day, Acting Commissioner

Date of initial receipt of application \_\_ July 31, 2015.

Date of application acceptance \_\_\_\_\_ August 14, 2015.

Date filed with Board of Environmental Protection \_\_\_\_\_.

This Order prepared by Rod Robert, Bureau of Water Quality

**SPECIAL CONDITIONS**

**A. CONDITIONS FOR COMBINED SEWER OVERFLOW (CSO)**

1. Pursuant to Chapter 570 of Department Rules (Combined Sewer Overflow Abatement), the permittee is authorized to discharge combined storm water and sanitary waste water from the following CSO subject to the conditions and requirements contained herein:

<u>Outfall #</u>	<u>Location</u>	<u>Receiving Water &amp; Class</u>
003	Cedar St.	Androscoggin River Class C
004	Lincoln @ North	Androscoggin River Class C
005	Gully Brook	Androscoggin River Class C
011	Beech St.	Androscoggin River Class C
013	Northwood(CMP)	Androscoggin River Class C
015	Morningside St.	Goff BK Class B
017	Dingley St.	Jepson Bk Class B
021	Lowell/Middle	Androscoggin River Class C
024	Pettingill St.	Jepson Bk Class B
026	Bristol	Jepson Bk Class B
028	Lemont Ave.	Jepson Bk Class B

2. Prohibited Discharges
  - a) The discharge of dry weather flows is prohibited. All such discharges shall be reported to the Department in accordance with Standard Condition D (1) of this permit.
  - b) No discharge shall occur as a result of mechanical failure, improper design or inadequate operation or maintenance.
  - c) No discharges shall occur at flow rates below the maximum design capacity of the wastewater treatment facility, pumping stations or sewerage system.

## SPECIAL CONDITIONS

### A. CONDITIONS FOR COMBINED SEWER OVERFLOW (CSO) (cont'd)

#### 3. Narrative Effluent Limitations

- a) The effluent shall not contain a visible oil sheen, settled substances, foam, or floating solids at any time that impair the characteristics and designated uses ascribed to the classification of the receiving waters.
- b) The effluent shall not contain materials in concentrations or combinations that are hazardous or toxic to aquatic life; or which would impair the usage designated by the classification of the receiving waters.
- c) The discharge shall not cause visible discoloration or turbidity in the receiving waters which would impair the usages designated by the classification of the receiving waters.
- d) Notwithstanding specific conditions of this permit, the effluent by itself or in combination with other discharges shall not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.

#### 4. CSO Long Term Control Plan (see Sections 2 & 3 of Chapter 570 Department Rules)

The permittee shall continue to work with the Auburn Sewerage District and the Lewiston-Auburn Water Pollution Control Authority (LAWPCA) to implement CSO control projects in accordance with the most currently approved CSO Master Plan and implementation schedule in a document entitled City of Lewiston, Maine, Auburn Sewerage District, and Lewiston Auburn Water Pollution Control Authority (LAWPCA), Clean Water Act Master Plan Fifteen Year Update, July 2015.

**By June 30, 2019**, (PCS Code 06699) the permittee shall submit to the Department for review and approval an Updated CSO Master Plan and implementation schedule.

## SPECIAL CONDITIONS

### A. CONDITIONS FOR COMBINED SEWER OVERFLOW (CSO) (cont'd)

To modify the dates and or projects specified in Special Condition A(4) of this permit (but not dates in the Master Plan), the permittee must file an application with the Department to formally modify this permit. The work items identified in the abatement schedule may be amended from time to time based upon approval by the Department. The permittee must notify the Department in writing prior to any proposed changes to the implementation schedule.

5. Nine Minimum Controls (NMC) (see Section 5 Chapter 570 of Department Rules, copy attached)

The permittee shall implement and follow the Nine Minimum Control documentation. Work performed on the Nine Minimum Controls during the year shall be included in the annual CSO Progress Report (see below).

6. CSO Compliance Monitoring Program (see Section 6 Chapter 570 of Department Rules)

The permittee shall conduct flow monitoring according to a Department approved *Compliance Monitoring Program* on Outfall 001, as part of the CSO Master Plan.

**Results shall be submitted annually as part of the annual CSO Progress Report** (see below), and shall include annual precipitation, and actual CSO volumes. Any abnormalities during CSO monitoring shall also be reported. The results shall be reported to the Department on form “*CSO Activity and Volumes*” (**Attachment A** of this permit) or similar format and submitted to the Department on diskette.

CSO control projects that have been completed shall be monitored for volume and frequency of overflow to determine the effectiveness of the project toward CSO abatement. This requirement shall not apply to those areas where complete separation has been completed and CSO outfalls have been eliminated.

7. Annual CSO Progress Reports (see Section 7 of Chapter 570 of Department Rules)  
**By March 1 of each year, (PCS Code 11099)** the permittee shall submit *CSO Progress Reports* covering the previous calendar year (January 1 to December 31). The CSO Progress Report shall include, but is not necessarily limited to, the following topics as further described in Chapter 570: CSO abatement projects, schedule comparison, progress on inflow sources, costs, flow monitoring results, CSO activity and volumes, nine minimum controls update, sewer extensions, and new commercial or industrial flows.



**SPECIAL CONDITIONS**

**A. CONDITIONS FOR COMBINED SEWER OVERFLOW (CSO) (cont'd)**

The CSO Progress Reports shall be completed on a standard form entitled “*Annual CSO Progress Report*”, furnished by the Department, and submitted in electronic form, if possible, to the following address:

CSO Coordinator  
Department of Environmental Protection  
Bureau of Water Quality  
Division of Water Quality Management  
17 State House Station  
Augusta, Maine 04333  
e-mail: [CSOCoordinator@maine.gov](mailto:CSOCoordinator@maine.gov)

8. Signs

The permittee shall maintain an identification sign at the CSO location as notification to the public that intermittent discharges of untreated sanitary wastewater occur. The sign must be located at or near the outfall and be easily readable by the public. The sign shall be a minimum of 12" x 18" in size with white lettering against a green background and shall contain the following information:

**CITY OF LEWISTON  
WET WEATHER  
SEWAGE DISCHARGE  
NAME AND OUTFALL NUMBER**

9. Definitions

For the purposes of this permit, the following terms are defined as follows:

- a. Combined Sewer Overflow - a discharge of excess waste water from a municipal or quasi-municipal sewerage system that conveys both sanitary wastes and storm water in a single pipe system and that is in direct response to a storm event or snowmelt.
- b. Dry Weather Flows - flow in a sewerage system that occurs as a result of non-storm events or are caused solely by ground water infiltration.
- c. Wet Weather Flows - flow in a sewerage system that occurs as a direct result of a storm event, or snowmelt in combination with dry weather flows.

## **SPECIAL CONDITIONS**

### **B. AUTHORIZED DISCHARGES**

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from outfalls cited in Special Condition A(1) of this permit. Discharges of waste water from any other point source are not authorized under this permit, but shall be reported in accordance with Standard Condition D(1)(f) (twenty four hour reporting) of this permit.

### **C. REOPENING OF PERMIT FOR MODIFICATIONS**

Upon evaluation of test results required by this permit, new site specific information or any other pertinent information gathered during the term of this permit, the Department may, at anytime and with notice to the permittee, modify this permit to: (1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded; (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

### **D. SEVERABILITY**

In the event that any provision, or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit shall remain in full force and effect, and shall be construed and enforced in all aspects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

**MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

**AND**

**MAINE WASTE DISCHARGE LICENSE**

**DRAFT FACT SHEET**

Date: **October 8, 2015**

PERMIT NUMBER: **ME0100994**

LICENSE NUMBER: **W000684-5T-F-R**

NAME AND ADDRESS OF APPLICANT:

**CITY OF LEWISTON  
Department of Public Works  
103 Adams Avenue  
Lewiston, ME 04240**

NAME AND ADDRESS WHERE DISCHARGE OCCURS:

**Throughout the City of Lewiston  
Lewiston, ME. 04240**

RECEIVING WATER/CLASSIFICATION:      **Androscoggin River/Class C  
Goff Brook/Class B  
Jepson Brook/Class B**

COGNIZANT OFFICIAL AND TELEPHONE NUMBER:      **Mr. David Jones  
Director of Public Works  
(207) 513-3003  
Email: [djones@ci.lewiston.me.us](mailto:djones@ci.lewiston.me.us)**

**1. APPLICATION SUMMARY**

- a. Application - The City of Lewiston (City) has submitted a timely and complete application to the Department for the renewal of combination Maine Pollutant Discharge Elimination System (MEPDES) permit #ME0100994/Maine Waste Discharge License (WDL) #W000684-5T-E-R, (permit hereinafter) issued by the Department on November 19, 2010 for five-year term. The 11/19/10 permit authorized the City to discharge an unspecified quantity of untreated sanitary waste water combined with storm water runoff from twenty (20) combined sewer overflow structures. Fifteen (15) of the CSOs discharged to the Androscoggin River, Class C, thirteen (13) of the CSOs discharged to Jepson Brook, Class B and two (2) discharged to Goff Brook, Class B. All thirty (30) discharge locations were in Lewiston, Maine.

**1. APPLICATION SUMMARY (cont'd)**

Since issuance of the 11/19/10 permit, the City has eliminated the nine (9) permitted CSO outfalls listed below:

<u>Outfall #</u>	<u>Location</u>	<u>Receiving Water &amp; Class</u>
001	Westbury St	Androscoggin River Class C
002A	Locust St.	Androscoggin River Class C
012	Oak St.	Androscoggin River Class C
018	Kavanagh St.	Jepson Bk. Class B
025	Brooks	Jepson Bk. Class B
027	College St.	Jepson Bk. Class B
029	Farwell/Sabattus	Jepson Bk. Class B
030	Farwell/Connector	Jepson Bk. Class B
033	Russell St.	Jepson Bk. Class B

As a result, the City is now seeking authorization to discharge an unspecified quantity of untreated sanitary waste water combined with storm water runoff from eleven (11) combined sewer overflow structures. six (6) of the CSOs discharge to the Androscoggin River, Class C, four (4) of the CSOs discharge to Jepson Brook, Class B and one (1) discharges to Goff Brook, Class B. See **Attachment A** of this Fact Sheet for a location map.

- b. Source Description – The City of Lewiston has an existing sanitary sewer collection system consisting of approximately 111 miles of piping and 13 pump stations. The collection system conveys sanitary waste waters generated by residential and commercial entities within the City’s boundaries to the Lewiston-Auburn Water Pollution Control Authority (LAWPCA) waste water treatment facility. Discharges from the LAWPCA facility are regulated by this Department via MEPDES permit #ME0101478. Thirteen of the pump stations associated with the City’s collection system are equipped with on-site back-up power in the event of a power failure. The collection system has eleven remaining (11) CSO outfalls as follows:

<u>Outfall #</u>	<u>Location</u>	<u>Receiving Water &amp; Class</u>
003	Cedar St.	Androscoggin River Class C
004	Lincoln @ North	Androscoggin River Class C
005	Gully Brook	Androscoggin River. Class C
011	Beech St.	Androscoggin River Class C
013	Northwood (CMP)	Androscoggin River Class C
015	Morningside St.	Goff Bk. Class B
017	Dingley St.	Jepson Bk. Class B

**1. APPLICATION SUMMARY (cont'd)**

<u>Outfall #</u>	<u>Location</u>	<u>Receiving Water &amp; Class</u>
021	Lowell/Middle	Androscoggin River Class C
024	Pettingill St.	Jepson Bk. Class B
026	Bristol	Jepson Bk. Class B
028	Lemont Ave.	Jepson Bk. Class B

**2. PERMIT SUMMARY**

- a. Terms and Conditions - This permitting action requires the permittee to monitor the flow and number of overflow events at the combined sewer overflow (CSO) structure, periodically update the City's CSO Master Plan and annually report progress to eliminate the CSO.
- b. History – The most recent regulatory actions include the following:

*July 31, 2015* – The City of Lewiston submitted a timely and complete application to the Department to renew the 11/19/15 MEPDES permit.

*June 30, 2015* – The City of Lewiston submitted an Updated CSO Master Plan and implementation schedule entitled, City of Lewiston, Maine, Auburn Sewerage District, and Lewiston Auburn Water Pollution Control Authority (LAWPCA), Clean Water Act Master Plan Fifteen Year Update, July 2015, Final Report, to the Department for review and approval.

*November 19, 2010* – The Department issued MEPDES permit #ME0100994/Maine WDL #W000684-5T-E-R for a five year term.

*June 30, 2010* – The City of Lewiston submitted an Updated CSO Master Plan and implementation schedule entitled, City of Lewiston, Maine, Auburn Sewerage District, and Lewiston Auburn Water Pollution Control Authority (LAWPCA), Clean Water Act Master Plan Ten Year Update, June 2010, Final Report, to the Department for review and approval.

*May 27, 2010* – The City of Lewiston submitted a timely and complete application to the Department to renew the 12/29/05 MEPDES permit.

*December 29, 2005* – The Department issued MEPDES permit #ME0100994/Maine WDL #W000684-5T-D-R for a five year term.

*September 20, 2005* – The Department issued a letter to the City indicating the proposed scope of work and schedule for CSO abatement projects as part of an updated CSO Master Plan was generally acceptable. Final approval is being withheld until receipt of a letter amendment to the CSO Master Plan Update.

## 2. PERMIT SUMMARY (cont'd)

*May 25, 2005* – The City submitted a letter to the Department that contained a scope of work and schedule for CSO abatement projects as part of a CSO Master Plan update.

*February 7, 2001* – The Department formally approved the City's CSO Master Plan entitled, Auburn Sewer District and City of Lewiston Clean Water Act Master Plan, dated December 2000.

*November 9, 2000* - The Department issued a letter approving five year CSO abatement schedules for Lewiston and ASD, including a submission date for Master Plan update.

*September 29, 2000* - The City of Lewiston submitted its proposed detailed five-year schedule of sewer separation projects.

*July 17, 2000*- The ASD submitted its proposed detailed five year schedule of sewer separation.

*April 20, 2000* - With the U.S. Environmental Protection Agency's (EPA) concurrence, the Department issued a letter to the City of Lewiston, the Auburn Sewerage District (ASD) and the Lewiston-Auburn Water Pollution Control Authority (LAWPCA), stating there was agreement between all parties on a fifteen year schedule of sewer separation (actually to be completed by 2014), with an update of the CSO Master Plan in five years.

*April 18, 2000* - The ASD submitted a letter that included a summary of improvements in 1999, a proposed CSO Master Plan Funding Schedule from 1997 to 2014, and five year Capital Improvements Plans for ASD and the City of Auburn.

*July 17, 2000* - ASD submitted its detailed five year schedule of sewer separation projects.

*February 9, 2000* - The City of Lewiston and ASD submitted responses to comments on the CSO Master Plan by the Department and EPA.

*October 15, 1997* - The EPA commented on the Lewiston-Auburn CSO Master Plan.

*August 8, 1997* - The Department commented on the Lewiston-Auburn CSO Master Plan.

*July 25, 1997* - The City of Lewiston submitted its Nine Minimum Control (NMC) documentation to the Department and EPA.

## 2. PERMIT SUMMARY (cont'd)

*January 24, 1997* - The ASD submitted its NMC documentation to the Department and EPA.

*July 1, 1996* - M&E submitted the CSO Master Plan to the Department and EPA.

*December 13, 1995* - The Department received a letter from Steve Johnson, City of Lewiston, stating that CSO # 14, Stetson Brook, and CSO # 16, Newbegin Street, has been sealed by brick and mortar.

## 3. CONDITIONS OF PERMITS

Maine law, 38 M.R.S.A. Section 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment (BPT), be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, 38 M.R.S.A., Section 420 and Department rule 06-096 CMR Chapter 530, *Surface Water Toxics Control Program*, require the regulation of toxic substances not to exceed levels set forth in Department rule 06-096 CMR Chapter 584, *Surface Water Quality Criteria for Toxic Pollutants*, and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

## 4. RECEIVING WATER QUALITY STANDARDS

Pursuant to Maine law, 38 M.R.S.A. §467(1)(A)(2), from Rumford Point to the confluence with Merrymeeting Bay in Brunswick, the Androscoggin River is classified as a Class C waterbody. Maine law 38 M.R.S.A. §465(4) contains the classification standards for Class C waters.

## 5. RECEIVING WATER QUALITY CONDITIONS

*The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report*, prepared pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists Jepson Brook (assessment unit ME0104000208\_413R01) as *Category 5-A: Rivers and Streams Impaired by Pollutants Other Than Those Listed in 5-B Through 5D (TMDL Required.)* and *Category 4-A: Rivers and Streams with Impaired Use other than mercury TMDL Completed*. Impairment in these contexts refer to low dissolved oxygen levels, elevated *E. coli* bacteria levels, impaired stream habitat and an impaired benthic macro-invertebrate community.

## 5. RECEIVING WATER QUALITY CONDITIONS (cont'd)

The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report, lists the segments of the Androscoggin River (Assessment Unit ME0104000208\_42R\_01 ) main stem from the Little Androscoggin River to Pejepscot Dam as *Category 4-B: Rivers and Streams Impaired by Pollutants – Pollution Control Requirements Reasonably Expected to Result in Attainment*. Impairment in this context refers to a fish consumption advisory due to the presence of dioxin. The report also lists the Androscoggin River in the area of CSO discharges as ADB Assessment Unit ID ME0104000210\_425R\_01, main stem from the Little Androscoggin River to Pejepscot Dam in *Category 5-D: Rivers and Streams Impaired by Legacy Pollutants*. Impairment in this context refers to the presence of Polychlorinated Biphenyls.

In addition, the report lists all freshwaters in Maine as “*Category 5-C: Waters Impaired by Atmospheric Deposition of Mercury*”. Maine has a fish consumption advisory for fish taken from all freshwaters due to mercury. Many waters, and many fish from any given water, do not exceed the action level for mercury. However, because it is impossible for someone consuming a fish to know whether the mercury level exceeds the action level, the Maine Department of Health and Human Services decided to establish a statewide advisory for all freshwater fish that recommends limits on consumption. Maine has already instituted statewide programs for removal and reduction of mercury sources.

The Department is not aware of any information that indicates the intermittent discharges from the CSOs owned by the City of Lewiston are causing or contributing to the continuance of the fish consumption advisory.

## 6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

This permitting action does not establish numeric effluent limitations for the discharges from the City of Lewiston’s CSOs. However, in April, 1994, the EPA adopted a National Combined Sewer Overflow Control Policy that strives to: 1) Accurately characterize collection systems through sampling, monitoring and modeling; 2) Implement best management practices as described in its Nine Minimum Controls Strategy and 3) Develop a long term control plan often referred to as a Master Plan.

The City of Lewiston is currently addressing the National Policy by: 1) characterizing the discharge through the installation of flow monitoring equipment to monitor the overflows; and 2) has completed the development of the original CSO Master Plan entitled, Lewiston-Auburn Clean Water Act Master Plan, dated December 2000. The Master Plan was approved by the Department on February 7, 2001. The most recent update of the CSO Master Plan is entitled, City of Lewiston, Maine, Auburn Sewerage District, and Lewiston Auburn Water Pollution Control Authority (LAWPCA), Clean Water Act Master Plan Fifteen Year Update, July 2015, Final Report. Special Condition A, Conditions for Combined Sewer Overflow (CSO), of this permitting action requires the City of Lewiston to continue to evaluate and take specific actions to eliminate the CSO.



## **7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY**

As permitted, the Department has determined the existing water uses will be maintained and protected. The Department acknowledges that total elimination of the CSO is a costly long term project. With the implementation of the CSO Master Plan and Nine Minimum Controls, the Department anticipates a significant reduction in CSO discharge events and improvements in the water quality in the Androscoggin River, Jepson Brook and Goff Brook affected by the CSO discharges.

## **8. PUBLIC COMMENTS**

Public notice of this application was made in the Lewiston Sun Journal newspaper on or about July 30, 2015. The Department receives public comments on an application until the date a final agency action is taken on that application. Those persons receiving copies of draft permits shall have at least 30 days in which to submit comments on the draft or to request a public hearing pursuant to Chapter 522 of the Department's rules.

## **9. DEPARTMENT CONTACTS**

Additional information concerning this permitting action may be obtained from and written comments should be sent to:

Rod Robert  
Division of Water Quality Management  
Bureau of Water Quality  
Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017  
Email: [rodney.robert@maine.gov](mailto:rodney.robert@maine.gov)  
Telephone (207) 446-1875

## **10. RESPONSE TO COMMENTS**

*Reserved until the end of the formal thirty day comment period.*

# **ATTACHMENT A**

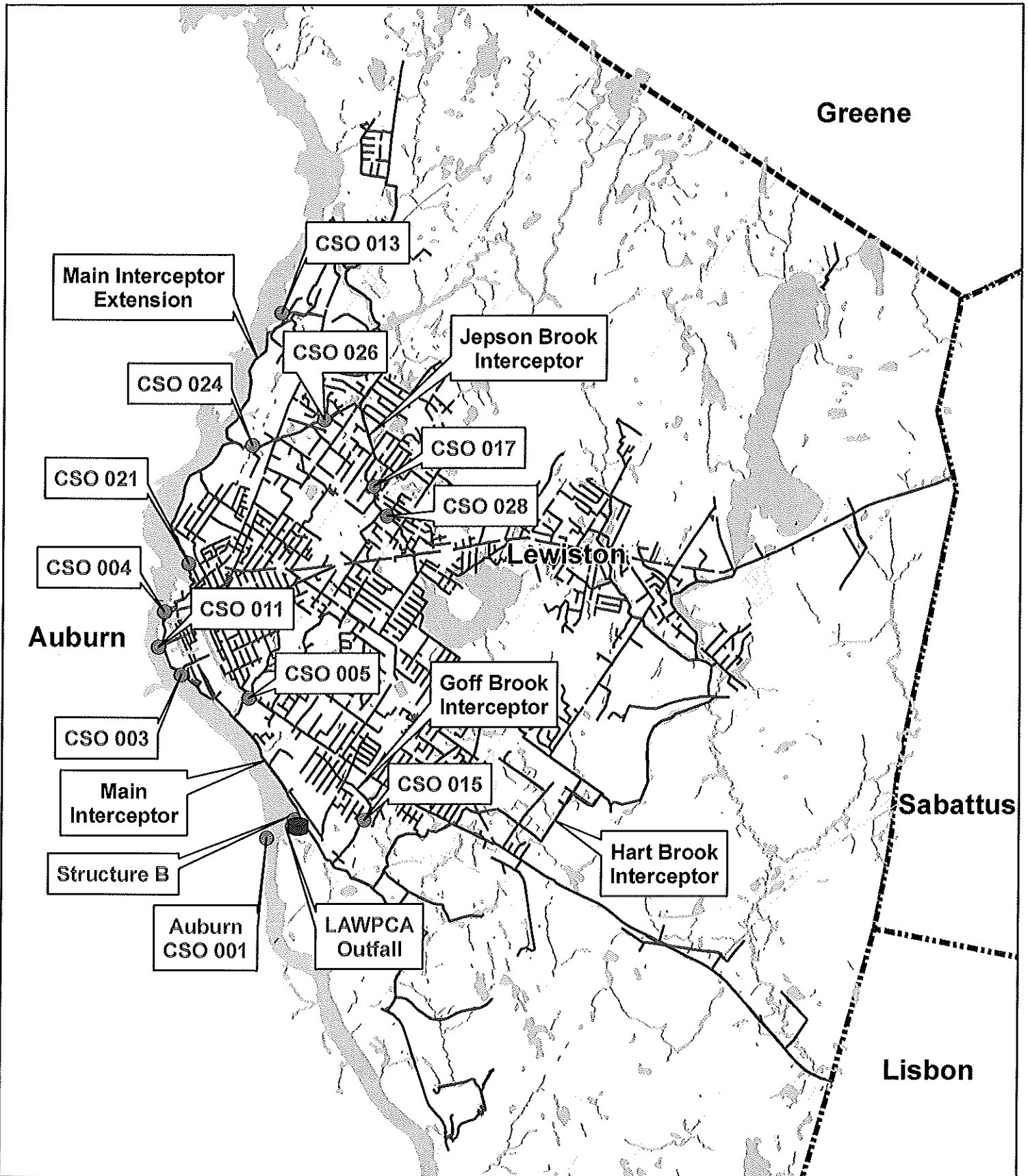
**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CSO ACTIVITY AND VOLUMES**

MUNICIPALITY OR DISTRICT												MEPDES / NPDES PERMIT NO.	
REPORTING YEAR												SIGNED BY:	
YEARLY TOTAL PRECIPITATION				INCHES								DATE:	
CSO EVENT NO.	START DATE OF STORM	PRECIP. DATA		FLOW DATA (GALLONS PER DAY) OR BLOCK ACTIVITY("1")								EVENT OVERFLOW GALLONS	EVENT DURATION HRS
		TOTAL INCHES	MAX. HR. INCHES	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:	LOCATION: NUMBER:		
1													
2													
3													
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22													
23													
24													
25													
TOTALS													

Note 1: Flow data should be listed as gallons per day. Storms lasting more than one day should show total flow for each day.

Note 2: Block activity should be shown as a "1" if the block floated away.

# **ATTACHMENT A**



**CDM  
Smith**

**Legend**

- LAWPCA
- CSO Regulators
- Sewer Pipes

**Clean Water Act Master Plan  
15 Year Update**

0 0.4 0.8 1.6 Miles

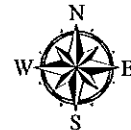


Figure 2-2  
City of Lewiston, ME  
Collection System  
June 2015